IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

WP(C).No. 3871 of 2007(J)

PETITIONER:

LEELAMMA AUGUSTINE, KALAYIL HOUSE,
MANNAR, POOZHIKOL P.O., KADUTHURUTHY,
(WORKING AS ASSISTANT MANAGER, INTERMIX FACTORY,
(RUBBER MARK) KADUTHURUTHY, KOTTAYAM DISTRICT).

BY ADV. SRI.M.RAMESH CHANDER
SRI.SIJI ANTONY

RESPONDENTS:
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1. THE KERALA STATE CO-OPERATIVE
RUBBER MARKETING FEDERATION LTD.NO.4331,
KOCHI-20, REP. BY ITS MANAGING DIRECTOR.

2. THE PRESIDENT, THE KERALA STATE
CO-OPERATIVE RUBBER MARKETING FEDERATION
LTD.NO.4331, KOCHI-20.

3.*STATE OF KERALA – REPRESENTED BY
PRINCIPAL SECRETARY TO CO-OPERATIONS,
TRIVANDRUM.
(IMPLEADED AS ADDL. 3RD RESPONDENT AS PER ORDER DATED 8.2.2007 IN I.A. 2073/2007)
BY ADV. SRI.K.RAMAKUMAR FOR R1 & R2
SR. GOVERNMENT PLEADER SRI. P.K. RAVIKRISHNAN
SRI.T.RAMPRASAD UNNI
SRI.A.SAMEER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P. (C) NO.3871/2007-J

APPENDIX

PETITIONER's EXHIBITS:

EXHIBIT.P1: TRUE COPY OF THE MEMO OF CHARGES DT. 4.10.2006

EXHIBIT.P2: TRUE COPY OF THE MEMO OF CHARGES DT. 29.11.2006

EXHIBIT.P3: TRUE COPY OF THE EXPLANATIOON DT. 22.12.2006

EXHIBIT.P4: TRUE COPY OF THE ORDER NO. P&A 06-07/2491 DT. 23.1.2007

EXHIBIT.P5: TRUE COPY OF THE REPRESENTATION TO THE 2ND RESPONDENT DT. 1.2.2007

EXHIBIT.P6, 6(a) & 6 (b) TRUE COPIES OF E-mail, OFFICE NOTE DTD 10.6.2006

EXHIBIT.P7: TRUE COPY OF OFFICE NOTE DTD 7.9.2005

EXHIBIT.P8: TRUE COPY OF INTER OFFICE MEMO DATED 29.4.2005

EXHIBIT.P9, 9(a) & 9 (b) TRUE COPIES OF NEWS ITEM IN DESHABHIMANI DAILY ON 2007 JANUARY, 29, 30 & 31.

RESPONDENTS EXHIBITS:

EXHIBIT.R1(a): TRUE COPY OF THE PURCHASE CONTRACT DTD 10.7.2006 SIGNED BY THE PETITIONER

EXHIBIT. R1 (b): TRUE COPY OF THE PURCHASE CONTRACT DTD 12.7.2006 SIGNED BY THE PETITIONER

K.PADMANABHAN NAIR, J.

W.P. (C) No. 3871 OF 2007-J

Dated this the 13th day of February, 2007

J U D G M E N T

The petitioner who was working as Junior Marketing Officer at Head Office at Kochi was placed under suspension as per Ext.P4 order alleging that because of certain decisions taken by her, the Federation has sustained a loss of Rs.833.95 lakhs. It is submitted by the counsel for the petitioner that the petitioner was transferred from the Head Office to Intermix factory, Kaduthuruthy. It is submitted that the reasons stated by the employer to place the petitioner under suspension was that in case she is allowed to continue in Head Office, she will tamper with the records. It is submitted that after the transfer of the petitioner to Kaduthuruthy, she has no access to any records kept in the Head Office and she will not be able to tamper any of the records. It is argued that the continued suspension of the petitioner is totally unnecessary. It is seen that the petitioner had filed Ext.P5 representation before the President of the 1st respondent praying that the suspension order may be revoked.

2 It is only just and proper that the 1st respondent considers that request and takes a decision as expeditiously as possible, at any rate, within three weeks from the date of receipt of a copy of this judgment. There will be a further direction to the 1st respondent to complete the enquiry proceedings also as expeditiously as possible.

The writ petition is disposed of as above.

K.PADMANABHAN NAIR, JUDGE.

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(KURIAN JOSEPH, JUDGE)

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KURIAN JOSEPH, J.

OP No.

JUDGMENT

13th March, 2006JUDGE)

aks

KURIAN JOSEPH, J.

OP No.

JUDGMENT

13th March, 2006